

PROPOSED LOCAL LAW NO. 4 OF 2011

A LOCAL LAW Amending Chapter 244, Solid Waste,
of the Code of the Village of Hastings-on-Hudson

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows:

Section 1: Chapter 244 of the Code of the Village of Hastings-on-Hudson (Solid Waste) is hereby amended by deleting the existing Article II (Collection and Disposal), §§ 244-4 through 244-8, and replacing it with the following:

ARTICLE II
Collection and Disposal

§ 244-4. Definitions.

For the purposes of this article, the terms used herein are defined as follows:

CURBSIDE PICKUP – The act of refuse removal from a person’s property by the Department of Public Works or other refuse carter.

DEPARTMENT OF PUBLIC WORKS (or DPW) – The Department of Public Works of the Village of Hastings-on-Hudson.

PERSON – An individual or individuals, firm, partnership, association, corporation, company, organization, or other legal entity of any kind.

REFUSE – Solid waste, trash, litter or any item discarded or rejected by any person in the Village. Categories of refuse are defined as follows:

BULK REFUSE – Refuse consisting of large household items, such as furniture, mattresses and box springs, stoves, washers, dryers and other large appliances, and large electronic items.

COMPOSTIBLE REFUSE – Refuse consisting of yard waste, household food

scraps, and ash from household fireplaces and wood stoves.

CONSTRUCTION AND DEMOLITION REFUSE – Refuse consisting of lumber, concrete, pipe, brick, masonry, sheetrock, and other construction materials from buildings and other structures.

GARBAGE REFUSE – Non-hazardous waste materials common to ordinary household, institutional or business use not listed as recyclable, bulk, or construction and demolition refuse.

HAZARDOUS REFUSE – All materials defined as such by the Westchester County Department of Environmental Facilities (DEF).

RECYCLABLE REFUSE – All materials defined as such by the Westchester County Department of Environmental Facilities (DEF) plus textile recyclables and film (low density polyethylene) plastic.

COMMINGLED RECYCLABLES – All materials defined as such by the Westchester County Department of Environmental Facilities (DEF).

PAPER RECYCLABLES – All materials defined as such by the Westchester County Department of Environmental Facilities (DEF).

TEXTILE RECYCLABLES – Cloth, clothing, shoes, belts, hats, gloves, handbags, cloth shopping bags, drapes, curtains, towels, sheets, pillowcases, blankets, but not mattresses or pillows. Textile recyclables may be used, worn, torn, stained, etc.

SUPERINTENDENT – Superintendent of the Department of Public Works of the Village of Hastings-on-Hudson.

VILLAGE – Village of Hastings-on-Hudson.

VILLAGE MANAGER – Village Manager of the Village of Hastings-on-Hudson.

§ 244-5. Separation, storage, and collection.

- A. Every generator of refuse to be collected within the Village by the Department of Public Works or any other agency shall be required to separate the refuse into non-recyclable, recyclable, and hazardous components and to further separate recyclable materials into categories for collection as designated by the regulations of the Superintendent.
- B. Commingled recyclables and paper recyclables are eligible for curbside pickup.
- C. Storage and collection of paper and commingled recyclables.
 - 1. Paper recyclables shall be bundled with string or twine or placed in paper bags or an appropriate container, but not placed in a plastic bag. Paper recyclables shall not be placed in the same container with commingled recyclables. Paper items shall be kept dry until pickup.
 - 2. Commingled recyclables (i.e., glass, plastic, and metal) shall be clean and free from food waste and placed loose in an appropriate container, not a plastic bag. Containers need not have lids, but shall have drainage so as not to collect water. Containers shall not weigh more than 50 pounds when filled.
 - 3. For single-family and two-family residences, recycling refuse containers shall be in a single location, at the curb. If a person has difficulty in adhering to this provision either because of human physical difficulty or property difficulty, provisions will be made on a case-by-case basis by the Village Manager or the Superintendent.
 - 4. For multifamily residences, the owner or agent having management or control of the building shall designate a common and accessible location or locations within the grounds of the residence where recyclable refuse is to be accumulated prior to collection. Such containers shall be placed in a readily accessible location for collection by the Department of Public Works. All walks and entrances to the location of refuse storage must be kept clear of ice, snow and other obstructions.

5. For non-residential establishments, recyclable refuse containers shall be placed in a readily accessible location for collection by the Department of Public Works. All walks and entrances to the location of recyclable refuse storage must be kept clear of ice, snow and other obstructions
6. Recyclable refuse containers shall be put at the curb no earlier than 5 p.m. the night prior to scheduled pickup. Recyclable refuse containers for non-residential properties shall be removed from the curb no later than four hours after the garbage has been picked up.

D. Disposal of recyclables other than paper and commingled recyclables.

1. Textiles shall be placed in the blue bins at the Department of Public Works yard or any other drop for the purpose of receiving textile refuse.
2. Small household electronics shall be disposed of according to regulations of the Westchester County Department of Environmental Facilities (DEF).

E. Storage and collection of garbage refuse.

1. All containers for the storage of garbage refuse shall be solid and watertight and have a removable (non-hinged), tight-fitting lid. Containers shall be free from handling hazards and made of such quality as to prevent collapsing during handling. Containers shall have a maximum capacity of 50 gallons and shall not weigh more than 50 pounds when filled. If the container is lined with a plastic bag, the bag shall be tied or twist-tied closed.
2. If garbage refuse is not stored in a container, it shall be contained in a plastic bag durable enough to withstand standard use and be tied or twist-tied closed and weigh no more than 50 pounds.
3. Any garbage refuse that cannot be placed in containers or bags shall be securely bundled and tied and left at the curb for collection. The weight of each bundle shall not exceed 50 pounds and shall be limited to four feet in length and 18 inches in height, width or diameter.

4. All containers shall be maintained in a sound and sanitary condition.
5. For single-family and two-family residences, garbage refuse containers shall be placed in a single location, either at the curb or at a location chosen by the resident. If a person has difficulty in adhering to this provision either by human physical difficulty or property difficulty, provisions will be made on a case-by-case basis by the Village Manager or Superintendent.
6. For multifamily residences, the owner or agent having management or control of the building shall designate a common and accessible location or locations within the grounds of the residence where garbage refuse is to be accumulated prior to collection. Such containers shall be placed in a readily accessible location for collection by the Department of Public Works. All walks and entrances to the location of refuse storage must be kept clear of ice, snow and other obstructions.
7. For non-residential establishments, garbage refuse containers shall be placed in a readily accessible location for collection by the Department of Public Works. All walks and entrances to the location of refuse storage must be kept clear of ice, snow and other obstructions.
8. Garbage refuse containers shall be put at the curb no earlier than 5 p.m. the night prior to scheduled pickup. Garbage refuse containers for non-residential properties shall be removed from the curb no later than four hours after the garbage has been picked up.
9. If a dumpster is used, it shall be of sufficient strength for the purpose of holding the material intended to be disposed of. Dumpsters shall be either covered or contained in a covered structure so as not to collect precipitation

F. Residential compostible refuse.

1. Residential yard waste, including but not limited to leaves, grass and

branches generated on site, may be placed at the curb for pickup according to the Village's pickup schedule.

2. Yard waste shall be placed in biodegradable bags or containers not to exceed 50 pounds in weight.
 3. Tree trimmings and brush shall be tied in bundles not over three feet in length, weighing not more than 50 pounds.
 4. Nothing in this chapter shall be construed as preventing any person from utilizing self-generated vegetative yard waste and self-generated vegetative household waste for compost, mulch or other agricultural, horticultural, silvicultural, gardening or landscaping purposes. Any such waste shall be composted or used in a manner not to endanger public health, safety and welfare.
- G. Residential bulk refuse. Residents shall contact the Department of Public Works for bulk refuse pickup. Items for bulk pickup shall be put at the curb no earlier than 5 p.m. the night prior to scheduled pickup. If a person has difficulty in placing the bulk refuse at the curb, either because of physical difficulty or property difficulty, provisions will be made on a case-by-case basis by the Village Manager or Superintendent.
- H. Hazardous waste. All hazardous waste shall be disposed of according to Westchester County regulations.
- I. Construction and demolition refuse. Residents and non-residential establishments must arrange for the pickup of construction and demolition refuse with a certified waste company or recycler.
- J. No animal substances and no dirt gathered from docks, or waste of mills or factories, or recyclable, bulk, hazardous, construction or demolition refuse, or any other materials which endanger public health, safety and welfare, shall be deposited or used to fill up or raise the surface level of any lot or grounds of property within the limits of the Village.

§ 244-6. Village-owned litter baskets.

- A. Village-owned litter baskets shall not be used for the disposal of refuse generated by households, institutions or commercial establishments.
- B. If a Village-owned litter basket or collection site consists of one or more receptacles designated for the separate collection for recyclable and non-recyclable materials, users shall be required to separate their litter into the designated categories and to place it in the proper receptacle.

§ 244-7. Fees for collection and disposal.

- A. The fee schedule for the collection and disposal of commercial refuse and incinerated residue is to be determined by the Village Board by resolution and set in the fee schedule.
- B. The Superintendent of Public Works is hereby authorized to extend and determine the fees based on the schedule in Subsection A, and the Village Clerk shall bill quarterly each of the commercial accounts in the Village.

§ 244-8. Penalties and enforcement.

- A. The Superintendent of Public Works issue warnings requiring compliance with the foregoing provisions. Failure to comply with or to perform an act required by any such warning shall constitute a violation punishable by a fine of not less than \$50 and not more than \$250 per offense.
- B. The Village Manager, Superintendent of Public Works, or a designated agent shall have the authority to conduct inspections of receptacles containing any refuse in order to detect violations of this chapter.
- C. The Village may refuse to accept garbage refuse containing recyclables or other non-garbage refuse at any refuse disposal facility owned or operated by the Village.

Section 2: Amend § 244-14, Penalties for offenses, to increase the maximum fine from \$50 to \$250.

Section 3: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 4: This local law shall take effect immediately upon filing in the office of the New York Secretary of State.